

Evidentiary Document No. 5533. ^A

RECORD OF STATEMENT.

(Pages 11-15)

Ken-ichi NAKAGAWA,

who is Lieutenant Commander, IJN., retired, whose present address is c/o Hiroku CIA, 256, Minami-hatashiki, Tokaichi-Machi, Futani-Gun, Hiroshima Prefecture, and who was born on 18th February 1893, made the following statement, of his free will, in the presence of the prosecutor at the prosecution court of the Tokyo Naval General Court Martial on November 2, 1945:

1. "My domicile is No. 2 Shimonaganoki-Cho, Kure City, Hiroshima Prefecture.

2. "I first entered the navy on June 1st, 1927, and was made, after gradual promotion, to Lieutenant Commander on September 5th, 1945. Then I was placed in the retired list, on October 25th of the year and arriving at the present address

"While I was still in service in the navy, I was involved in a POW murder incident at the time of our occupation battle of Ambon Island which was fought in connection with the Great Pacific War.

"The situation at that time was as follows: The Ambon Island Occupation Forces were commanded by Major General ITO of the Japanese Army. The main body of the ITO Detachment, which was placed under his direct command, engaged in the occupation of Ambon City. The capture of the Laha Airport was assigned to the force commanded by Rear Admiral HATAKEYAMA, who was then mentioned to be the Commander of the 24 NSBF; this Laha Occupation Force consisted of the 1 KNSLP, one infantry platoon each from the 1st and 2nd Sasobo Naval Special Landing Parties, an artillery unit and an infantry platoon of the 32nd Naval Special Base Force, and one army infantry company despatched from the ITO Detachment.

"I was then a company commander of the 1 KNSLP with the rank of Lieutenant Junior grade in Special Service Officer Branch. Because Commander HAYASHI, IJN., appointed Commander of the 1 KNSLP, had not yet arrived at his post, the command of the 1 KNSLP was assumed by Lt. Kunito HATAKEYAMA, IJN., because of his being the Senior Officer present of the 1 KNSLP though he was merely the adjutant in his formal regular appointment.

"It appeared that the 21st Minesweeper Division participated in the operation for the minesweeping purpose, though the details about it is not known to me.

3. "I am now going to tell you about the course taken in the operation to capture Laha. The Laha Occupation Force commenced landing on the beach of Hitlana (this spelling is uncertain) about two o'clock a.m., January 31st, 1942, and

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captured the airfield about 7 a.m. on February 3rd with our casualties amounting to more than 100.

"The POW taken at the airport totalled about 100 consisting of about 210 Australians, about 60 Dutch, and troops of the native.

4. "Regarding the treatment of the POW I am going to explain you as follows:

Appointed Commander of the 24 NSBF, Rear Admiral HATAKEYAMA, displayed his flag on Feb. 5 at Laha, but on the 11th or 9th of the month leaving one platoon of his forces at Laha he moved to Ambon because the ITO Detachment was about to evacuate the city. Therefore the direct treatment of the POW at Laha was assigned to the platoon Commander, Kakutaro SASAKI, then on the rank of Warrant Officer.

"The POW at Ambon City consisting of some 1,100 of Australian and Dutch soldiers who had been captured by our army forces were taken over from the competent army authorities by Senior Staff Officer Shigeki and Engineer Staff Officer MIZOGUCHI (both, of the 21 NSBF) and myself, after the 24 NSBF moved to Ambon City. This notwithstanding, the affairs relating to POW, in the headquarters of the 24 NSBF were handled by the Engineer Staff Officer, MIZOGUCHI, while the duty directly to take care of them was placed under the charge of the 1 KISLP. Such being the case, all matters relating to the treatment of the POW, either at Ambon or Laha, were reported to Adjutant HATAKEYAMA, who was then acting for the Commander of our landing party; and all these matters were conducted according to his direction. After the arrival of the duly appointed commander around February 9, the affairs connected with the POW was understood to have been reported to him by the Adjutant.

Though its exact date cannot be recalled, when the 1 KISLP was absorbed in the 21 NSBF, Mr. HATAKEYAMA was appointed Chief of the Shore Guard Division in the 21 NSBF, and this division was in charge of the treatment of the POW.

5. "As for the killing of the POW my statement is as follows:

I remember it was about the 20th of February. In our Headquarters at Ambon, I was told by Mr. HATAKEYAMA that I should go to Laha to have the POW there put to death. And by this I surmised that the decision for the killing was probably ascribable to the fact that considerable difficulties were being confronted with in the matter of local peace and security; for, taking advantage of the insufficient strength of the detachment troops there, the desertion of the POW was continuously happening at Laha in those days. Leading about 60 men of my own company together with about 30 men

of Minesweeper No. 9 who were then accommodated in my company barracks, I arrived at the quarters of the Laba Detachment at about 2 p.m. on the very day that I received the aforementioned order; as for the taking these latter personnel of Minesweeper No. 9 I was given a verbal consent by a reserve officer of the Minesweeper. Though this reservist officer accompanied us, nothing was directed or requested of him on my part.

"I briefed these about 90 enlisted men to assign them their duties. First of all the burial place was to be dug by all of us. Then the party was to be divided into three: the first group for transporting the victims from the camp to the place of the killing, the second group for preventing disturbances, and the third group composed of some twenty men for directly engaging in the conduct of the killing.

"The place of the kill was selected in coco-palm woods situated on both sides of a road running a little beyond a marsh which lies about 200 meters northeastward from the detachment barracks standing just in front of the pier. The smaller burial hole on the right side of the road was for about 50 corpses, while the larger ones dug on the left side was for all of the rest bodies.

"According to my memory the number of the POW killed was about 220. They were killed either by swords of Japanese style or bayonets with their eyes covered. And I was directing the overall affairs at the detachment barracks. On that day the detachment commander was in sick-bed because of malaria and on my part I merely notified him as regards the killing.

"If I remember right the aforementioned fateful deed was commenced at about six o'clock in the evening and ended at about 9 o'clock. On that day I reported to Lt. HATAKE-YAMA on the accomplishment of the deed after we came back to our headquarters.

I wish to add that the aforementioned enlisted men from Minesweeper No. 9 had been accommodated in the barracks of my company because their ship had been lost through hitting a mine when entering the Bay of Ambon."

When the statement was completed, the record made of it was read before Ken-ichi NAKAGAWA, who acknowledged the correctness of the record and affixed his signature and seal hereafter.

(The signature and seal of
Ken-ichi NAKAGAWA)

(Signed by) Tadao HANBU, Justice Ensign, IJN., Recorder,
the Tokyo Naval General Court Martial.

(Signed by) Ichiro ITO, Justice Lt.-Comdr., IJN.,
Prosecutor, the Tokyo Naval General Court
Martial.

Examination of Accused.

(Pages 23-25)

Accused:- NAKAGAWA Ken-ichi.

On the 6th November 1945, in a preliminary hearing in the Tokyo General Court-Martial, Justice Lt. Commander ONO Keichoku, Examining Official, in the presence of Justice Sub-Lieutenant 2nd Class IBE Yasuo, the recorder of the Court, examined the accused in connection with the case of murder. The questions and answers as follows:

1. Q. What are your name, date of birth, title and rank, legal address, native place, present address?

A. Name - NAKAGAWA Ken-ichi.
Date of birth - 13th February 1893
Title and rank - Lt. Commander, retired.
Legal Address - No. 2, Shimonaganoki-Cho, Kure City.
Native place - No. 554, Takasugi, Kamisugi-Mura, Futami-Gun, Hiroshima Prefecture.
Present Address - c/o Hideroku OTANI, No. 256, Minami-Hatashiki, Tokaichi-Machi, Futami-Gun, Hiroshima Prefecture.
2. Q. Court-rank, decoration, medal, annuity, pension, if any?

A. I am on the 7th Court Rank(jg)(Ju-shichi-i) and the 4th Class Order of Merit (Kun-Shi-to) and I have War-Medal of the 1931-1934 Incident, Showa Coronation Memorial-Medal Manchukuo Foundation Medal, War-Medal of the China Incident and Memorial-Medal of the Manchurian Emperor's visit to Japan, etc. My pension is not given yet.
3. Q. Have you ever been punished on charge of the criminal case before?

A. Never. (The examining official, hereby, told the accused that he would be examined in connection with the above-mentioned murder case.)
4. Q. This is the reasons why you are suspected of the charge. Have you any opinion about it?
(The examining official, hereby, read to the accused the evidence of crime which is stated in the "statement of opinion" submitted by the prosecutor to the Navy Minister under date 8 November 1945 and which is mentioned in the prosecutor's letter under same date requiring this preliminary hearing.)

- A. That you have read to me just now is without any mistakes, and I haven't any particular opinion about it.
5. Q. It is understood that you have stated to the prosecutor in this way. Have you any opinion about it? (The examining official, hereby, read to the accused the prosecutor's hearing-note for the accused.)
- A. What you have read just now is without any mistakes.
6. Q. What was the relation of command between the accused and Commander HATAKEYAMA at the time when this incident took place?
- A. Commander HATAKEYAMA was, at that time, Lt. and the Adjutant of the 1 KNSJP, while I was a company commander. Accordingly, the orders of Commander HAYASHI, the Commanding Officer of the Party came to me through Lt. HATAKEYAMA, who was the Adjutant.
7. Q. Then, is it your opinion that the murder of this case was performed by the order of the Commanding Officer HAYASHI?
- A. Yes, it is.

When the testimony was completed, the record made of it was read again: and as MAKAGAMA said that it was without any mistakes, he was caused to affix his signature and seal below.

(Signed) Ken-ichi MAKAGAMA (Seal)
the accused.

(Signed) Yasuo IBE,
Clerk, Second Demobilization
Ministry.

(Signed) Koichoku ONO,
Examining Official, Second
Demobilisation Ministry.

At the Tokyo Demobilization Court,
6 November 1945.

Record of the Second Examination of the Accused.

(Pages 104-116)

The Accused: NAKAGAWA Ken-ichi..

On 22nd December, 1945, in a preliminary hearing in the Tokyo General Demobilization Court, Shinro WATABIKI, SDO. and Pres. of TGDC., in the presence of Yasuo ABE, SDO. and Pres. of TGDC., examined for the second time Ken-ichi NAKAGAWA in connection with the case of homicide with which he was accused.

The questions and answers are as follows:

1. Q. What is your name?

A. NAKAGAWA Ken-ichi.

(After this question and answer, the examining officer told NAKAGAWA that an interrogation would be started in connection with the case aforementioned.)

2. Q. Is there anything to be corrected in your statements made so far?

A. Yes, there are some points to be corrected, which I would like to mention you about; because my memory was not altogether clear and exact at the time, I think I made some incorrect statements.

3. Q. Tell me the organization of the forces that joined in the operation for the capture of Ambon Island?

A. I will tell you first that of 1-KNSLP. It was as follows:

Commanding Officer: Commander HAYASHI,

Adjutant: then-Lieutenant HATTKEYAMA.

Company Commander: NAKAGAWA, myself.

No. 1 Platoon (Ensign Rinnosuke FUKUDA)

No. 2 Platoon (Warrant Officer Shuzo NAGATA)

No. 3 Platoon (Warrant Officer Toruyoshi YOSHIKAWA)

No. 4 " (I cannot remember the name of the Commander.)

No. 5 " (Warrant Officer Masaru YOSHIMARU)

A Machine-gun platoon (Warrant Officer Kakutaro SASAKI)

An Infantry-gun " (Warrant Officer Kenji INOUE)

Besides the above we had the following attached units.

Communication Unit (Warrant Officer Kazuto SUWA)

Transportation Unit (Warrant Mechanician Saburo ODA)

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Medical Service Unit (I cannot remember the name of the Commander.)
Stretcher Unit (I cannot remember the name of the Commander, but he was a Petty Officer.)
Engineering Unit (Warrant Constructor Keigo KANEMOTO)
Paymaster Unit (I cannot remember the name of the Leader.)

Besides the above mentioned officers, there were following officers in the 1-KNSLP.

Chief Pay Clerk Warrant Writer Junzo FISHIMURA.
Chief Surgeon Surgeon Lt. (I cannot remember his name.)
Assistant Surgeon Surgeon Ensign SOTOZONO (RWU).
Chief Paymaster Paymaster Lt. (I cannot remember his name.)
Chief Archivist Clerk Paymaster Lt. (jg) Yukio KIMAGATA.

/the 5th platoon from
the 1st. Sasebo NSLP,

Commanding Officer, Commander HAYASHI arrived at Ambon City and assumed command on the 9th (or 10th) February 1942. Before that time, Adjutant HATAKEYAMA was assuming the Command in his place. The company joined in this operation was the 2nd company of 1-KNSLP, and the 1st company of the 1-KNSLP had been despatched to Jolo Island area (Philippines). The 4th platoon had been despatched from the 2nd Sasebo NSLP, and the 2nd platoon and the infantry-gun platoon from the 32nd NSBF, to join in the organization of the force of the 1-KNSLP.

Next I will tell you about the 24th NSBF. This corps was created on the 5th of February, 1942, with the following key personnel:

Commandant Rear-Admiral HATAKEYAMA
Senior Staff Officer Commander LEKI
Engineer Staff Officer Lieutenant HIZOGUCHI

At the time of the landing on Ambon Is. these members were the only component part of the corps, totally lacking the subordinate organizations, though Rear-Admiral HATAKEYAMA was assigned to take the Command of Naval Forces in battle after landing on Ambon Is.

Besides these naval forces, the main body of the ITO Detachment of the army under Command of Major-General ITO played the roll of capturing Ambon City, and General ITO was the Commanding General or over-all.

forces of the army and navy. Moreover, 21st Minesweeper Division joined into the battle as a surface fleet.

4. Q. Tell me the course of the battle to capture Imbou Island.

A. I tell you what I can recall.

At 10.30 p.m. on the 30th of January, 1942, our force reached off Hitolama beach, and prepared for landing. At 0215 a.m. on the 31st we started landing under the order "Start action", and finished landing at 5.15 a.m. Leaving a part of the force there, we marched to the Laha airfield, where we got at 3.50 p.m. and began fighting. But at 5 p.m. we temporarily stopped fighting in order to get back for a while to renew preparation for further fighting.

On that night we stayed at Sovacoed about 4 kilometers north of the airfield.

On the 1st February, we dispatched the officer reconnoiterer to get information on enemy situation. After having roughly classified the enemy situation at 9.30 p.m. a unit to break through into the airfield which was organized by about half strength of each infantry platoon except No. 1 and No. 4 platoons left Sovacoed to get information of the situation inside the enemy positions and to break wire-entanglements. An army force of one company started from Sovacoed at 3 p.m. for the purpose of penetrating into the Laha airfield from back. (An agreement had been made between the army and navy that the airfield was to be broken into at 3 a.m. on the 3rd of February.) Between 2 and 3.30 a.m.

of 2nd February we broke the wire-entanglements, penetrated into enemy positions; and thereupon we were fired by enemy with small arms and machine guns, and engagement ensued finally turning into a hand to hand fight.

When we reported the situation of this fighting to Rear-Admiral HATKEYAN then at Sovacoed, he left that place at 3.15 a.m. taking with him the whole of his troops remaining so far in rear in order to support the penetrating unit at the Laha airfield, and at 5 a.m. he got there. He gave battle. Friend-planes bombed the enemy more than ten times; a large number of casualties for both

sides, friend and foe, in the heavy fighting led us to stop fighting some time after 9 a.m., and we got back to Sowacoed for a while to straighten the line. At 5 p.m. about 50 enemy soldiers came Sowacoed to surrender. After the sunset the penetrating unit began to arrive at Sowacoed one after another, and the concentration of our whole troops was accomplished at 11 p.m.

On 3rd at 1 a.m. the whole of our force left Sowacoed to capture the airfield reaching there at 3 a.m. We machine-gunned enemy positions to decoy enemy firing for the purpose of finding out the exact positions of enemy guns. But there was no returning fire from the enemy and it appeared that the enemy was prepared for surrender having lost the fighting spirit. When Mr. HATKEYMI, then the acting Commander of the 1-KESUP, accompanied by an interpreter, entered the airfield as the parlementaire, the enemy offered him an over-all surrender. At 6 a.m. we marched into and occupied the airfield, and at about 9.30 a.m. the army force entered the airfield from the back and joined us.

The above is the summary narrative of the capture of the Laha airfield. Imbon City was told to have been occupied by the army troops on the 2nd of February.

5. Q. Tell me about the enemy POW captured in battle to capture the Laha airfield.

A. In the forenoon of the 1st of February (I am not sure of the exact time), our reconnoitrons (Petty-Officer OKADA and seaman 1st Class TANAKA of the Company-headquarters platoons) captured 10 enemy troops led by an Australian Army Second Lt. and took them to Sowacoed. And besides this, as mentioned above, on the 2nd of February about 50 Australian POW were taken prisoners by us when they came to our camp to surrender.

6. Q. How were these POWs disposed of?

A. The first 10 POWs were bayoneted to death before our force left Sowacoed for the support of the aforementioned penetrating unit on the 1st of Feb. Both Adjutant HATKEYMI and I were at that time near the Laha airfield in ambush leading the penetrating unit, so we did not see the scene of the execution on the spot; according to Ensign SAKIMOTO's statement made to me afterward, these POWs were killed by the order

of the Commanding Officer Rear-Admiral HATAKEYAMA, because these POWs were likely to become a drag upon the movement of the admiral's force in rear.

As I remember right the key personnel then present at Sowacoad were as follows:

Senior Staff Officer, IEKI.
Engineer Staff Officer, MIZOGUCHI.
Ensign, SAKAMOTO.
Commander of Machine-gun Platoon, SASAKI.
Commander of Infantry-gun Platoon, INOUE.
Commander of Communication Unit, SUWA.

Next I will tell you about the killing of the POW which numbered, as I remember aright, 51, though I mentioned in the above they were more than 50.

On the 4th of February Ensign SAKAMOTO at Sowacoad sent a report to Rear-Admiral HATAKEYAMA at the Laha airfield that SAKAMOTO was at a loss with small number of guard for treatment of POWs. According to the SAKAMOTO's report these POW either rebelled against him or made desertions because of the misunderstanding due to difference of language. The Admiral got angry hearing this report, and called Adjutant HATAKEYAMA and me to his room at the Laha airfield that evening, where the engineer staff officer was also present.

We were ordered by the Admiral that we should kill them on the following day because he had received a report informing that POWs at Sowacoad were in disturbance. In compliance with this order on the 5th of Feb., I took about 30 Petty Officers and men to Sowacoad; I cannot recall now from what platoon these 30 petty officers and men were selected. In a forest of coconut-tree, about 200 meters toward the airfield from Sowacoad, we dug out holes, and killed POWs with swords or bayonets. I recall, it took about 2 hours from 10 a.m. The process of the murder was as follows: I divided 30 Petty Officers and men into 3 groups, the first group for leading the POWs out of a dwelling house where the victims were temporarily confined, the second for preventing disorder on their way from the house to the forest, the third for beheading or stabbing the POWs. The POWs were sent to the spot one by one and made to kneel with bandage on their eyes. Our men of the third group, one at a time, came out in turn either to behead a POW with his sword or to stab him through the breast with his bayonet.

These POWs were all Australians, including 4 or 5 officers. I am sure that there was a major, whose name was unknown to me. All corpses were buried in the holes. The names of our men then employed for this execution cannot be recalled at all. But it is certain that there were present on the spot no officer, either warrant or commissioned, except myself. Most of the time I placed myself in the middle between the house and the place of the killing to do the overall command; but I went to the spot when the last victim was to be executed. Interpreter IKEUCHI was then in the dwelling house to send out the POW from the house.

7. Q. Did you make a report that the execution had been accomplished?

A. I reported it to Adjutant HATAKEYAMA in his room on that day, and I suppose the adjutant in his turn reported it to Admiral HATAKEYAMA.

8. Q. Kakutaro SASAKI made us a statement regarding the killing of the first group of the POW in this way. What do you think of it?

(Thereupon the examining officer read No. 10th question and answer of the record of the examination of Kakutaro SASAKI, a witness of the case.)(see No. HNC-50.

A. I am sure there was in Ambon a Lt.-Colonel of the Dutch POW captured by our army, but of any other such ranking Dutch POW I never heard. And SASAKI says that 2 or 3 POW were captured by reconnaissance of a platoon. These POW might be, I suppose, the same with the enemy scouting squad led by an officer whom our Petty-Officer OKADA and his men captured just as I mentioned in this hearing. When these POW numbering more than 10 were murdered, SASAKI was in Sowacod as a machine-gun platoon commander in rear.

9. Q. How many POWs were captured at the time of occupation of the Laha airfield, besides the POWs mentioned above?

A. I cannot recall the exact number of these POWs, but I suppose that there were about 200 Australians and about 60 Dutchmen. Besides these there were some troops of the native tribes, but it is believed these natives ran away from the spot when we broke into the airfield. The POW were given their billet in the barracks in the airfield.

10. Q. Tell me the activities of our naval forces after the occupation of airfield.

A. Rear-Admiral HATKEYAMA hoisted his flag at the Laha airfield on the 5th of February as Commanding Officer of the 24 NSB. The main force of the 1-KFSLP left Laha for Rabon on the 10th of the month, leaving a platoon of about 40 officers and men at Laha. It was the machine-gun platoon, as I remember right.

11. Q. Tell me about the other killings of the POW than you have afore stated.

A. As I have said, there were billeted in the airfield barracks some 200 Australians and some 60 Dutchmen. When our forces first entered into the airfield, they saw that the Japanese strength was very small numbering only some 170. Some of the POW, therefore expressed their view through IKEYUCHI, interpreter, to such an effect as that they would not have surrendered but would rather have continued fighting bravely if they had known the Japanese strength was so small, and that if they had fought more stubbornly the Japanese casualties would have amounted to a considerable degree. In addition to these they behaved themselves disobedient in their assigned works, though partly caused by the difference of language. And about 30 of them were considered to be especially disobedient. The Commanding Officer heard of this fact, and he gave Adjutant HATKEYAMA and me an order in his room in the evening of 5th February to murder these some 30 POWs.

I had about 20 enlisted men kill these some 30 POW about 3 p.m. on the following day, if I remember right, in a coco-palm forest near Tauli, about 700 meters from the airfield, though I cannot recall what platoons these about 20 men belonged to. In this killing, too, the poor POWs were once taken in a house nearby, then called out in turn one by one, and killed with sword or with bayonet, as before. Their corpse was buried in the hole dug for the purpose. As in the previous case I stood in the middle between that house and the spot of murder to take general command for the most of the time, and I went to the spot to witness the last one of being killed and ascertained this bloody work had been finished. I reported to the Adjutant

HATKEYAMA the accomplishment of the execution. I am not sure whether any Dutch men were included among the victims or not, but it is certain that the victims were all enlisted men.

Next I will tell you about another killing of the POW.

On the 17th or 18th of February, I cannot recall which day, while we were taking lunch at Tsubon, Commanding Officer HAYASHI disclosed his intention rather to kill all the remaining POWs. His reason was this: our troops available for service was numbered only 340 or 350 from which various guards in various districts had to be dispatched; the desertions of the POWs began to be noted; rumours ran among natives that the allied troops would come soon to attack us; enemy planes in fact came for reconnaissance; if the deserting POWs could divulge the situation of Japanese side, we would be placed very unfavourable situation; and all these factors were forming a menace to the position of the Japanese forces. I asked Commanding Officer, then, what is his opinion concerning the provisions of the International Law which I understood to be stipulating that "FURYO" (POW) should not be treated as enemy. He answered me that I was right so far as "FURYO" was concerned, but that the captives interned there were to be classified and called "HORYO" and therefore we would not violate the International Law if we would kill them.

H.B. (The Translator's Note)

In our translation we cannot make any difference between "FURYO" and "HORYO" for the following reasons

a. In the Navy Regulations of the former Japanese Navy which had been distributed among all of the Naval units as the most authoritative document to be referred to by all navy personnel regarding the various legal matters including those on International Law and custom, the term "HORYO" is nowhere found, though the term "FURYO" is used for prisoners of war. The same holds true with the Manual of the Wartime International Law and Usages, a book which was also published and distributed by the Navy Ministry among almost all naval units of any importance as the most standard, if not the sole, guide book on International Laws and customs.

According to these two documents a belligerent person, once captured, will become "FURYO"; therefore

from these widely read books we get no suggestion that there can exist any special stage or status for a belligerent person between his capture and his acquiring the status of the prisoner of war - that is to say, from these books we are told that the instant he is captured, a belligerent is a prisoner of war.

b. The term "HORYO" is used in colloquialism in the same sense with "FURYO". In Chinese characteristics "HORYO" is written 捕虜, while "FURYO" 俘虜. "HO" 捕 means simply "to catch or capture", and "FU" 虜 "to take prisoner or to capture a hostile or offending person alive". The meaning of "RYO" 虜 is "a prisoner". When combined and phrased "HORYO" and "FURYO" have the same meaning, a prisoner of war, according to either Japanese-Chinese dictionaries or Japanese-English dictionaries as well as to our common conception.

A few days later, in the evening while taking supper with the Commanding Officer and his Adjutant HATAKEYAMA at the garden in front of the Commanding Officer's room, I was told by the Commanding Officer to kill all the POWs at Laha.

On the following day, probably 20th of Feb. if my recollection is right, I gathered up some 60 enlisted men from various platoons attached to the 1-KNSLP. Moreover about 50 enlisted men from the crew of the Minesweeper No. 9 who were boarding at the 1-KNSLP barracks because their ship had sunk then, were employed by the consent of a reserve-list officer attached to that minesweeper.

I took the both groups of enlisted men totalling to some 90 to Laha from Arbon at about 1 p.m. on the 20th. We dug holes in a place in a coconut forest at Tauli; this new place is a different position from that of the previous murder being 120 or 150 meters away from it, and was about 200 meters off the headquarters of the Laha Detachment. I divided 90 men into 9 groups: 2 groups for bloody killing, 3 groups for watching the POWs; on their ways to the killing place, 2 groups for sending POWs out of the barracks, one group for guard on the spot of the killing, the last one for emergency. The POWs were carried by truck from the barracks to the Detachment building about 500 meters in distance, and they were on foot from the Detachment building to the spot of

the killing. The same way of the killing was adopted as in the previous case; to have them kneel down with bandage over their eyes and to kill them with sword or bayonet.

The poor victims numbered about 220 in all including a few Australian officers. Interpreter IKEUCHI was, as in the previous case, in charge of duty of sending POWs out of the barracks; I was in the Detachment building giving overall directions and ascertained the final accomplishment of the affair at the spot. It took from about 6 p.m. to 9.30 p.m. Most of corpses were buried in one hole, but because the hole was not big enough to receive all of the corpses a dug-out nearby was also used for the burial. On that day upon my arrival at our headquarters I reported it the Commanding Officer directly and also to his adjutant.

12. Q. Did the men of the civil engineering corps join in it then?
- A. No, not at all.
13. Q. Was the order of killing POWs issued by the Commanding Officer HAYASHI at his own discretion?
- A. In the first three cases of the murder the orders were with no doubt issued by Rear-Admiral HATAKEYAMA. But as for the last case, I am not sure whether the order was issued by the Commanding Officer HAYASHI himself, or it was given in compliance with the order of Rear-Admiral HATAKEYAMA.
14. Q. Do you know that the International Law prohibits the murder of POWs?
- A. I was taught it and knew it, but the Commanding Officer HAYASHI told me that though we were prohibited to kill "FURYO", there was no such prohibition concerning "HORYO". I was persuaded by his opinion and obeyed his order.
15. Q. Do you think that it was indispensable at the time to dispose of the POWs from the viewpoint of the conduct of the operations?
- A. Judging from circumstances then existing, we were in a disquieting situation indeed, but I do not believe

that it was unescapably necessitated to kill all of the POW at any cost.

16. Q. Rinnosuke FUKUDA, Kazuto SUWA, Junzo NISHIMURA, Matazashichi ISHIKAWA, and Kakutaro SASAKI have stated in the following way; what is your opinion about their statements?

(The examining official then read the records of the examination of these five witnesses.)

- A. FUKUDA stated as if I took with me men of the civil-engineering corps to the spot of the murder and let them join in the murder, but I never employed in that bloody affair at all. Besides this point, to speak in detail, some parts of statements made by these witnesses are incorrect and different from fact, but

I have now no particular opinion about them.

When the testimony was completed, the record made of it was read again: and as NAKAGAWA said that it was without any mistakes, he was caused to affix his signature and seal below.

(Signed) Ken-ichi NAKAGAWA,
The Accused.

(Signed) Yasuo ABE,
SDO, Red., TGDC.

(Signed) Shinro WATABIKI,
SDO., Pop., TGDC.

At the Tokyo General Demobilization Court,

On 22nd December 1945.

Record of the 3rd Interrogation of the
Accused Ken-ichi NAKAGAWA.

(Pages 163-165.)

On 29th December 1945, in a preliminary hearing in the Tokyo General Demobilization Court, Shinro WATABIKI, examining official of the Court, in the presence of Yasuo ABE, Recorder of the Court, held examination of Ken-ichi NAKAGAWA in connection with the case of homicide, in continuance with the previous preliminary hearing, as follows:

1. Q. What is your name?

A. My name is NAKAGAWA Ken-ichi.

(The examining official told him that he would question him in connection with his homicide case.)

2. Q. Have you any different opinion about the statement of Kunito HATAKEYAMA?

(Hereupon the examining official read the Record of the 2nd Interrogation of Kunito HATAKEYAMA.)

A. The statement of HATAKEYAMA is different in some points from what I told you, but it seems to me that his statement is correct. Therefore, you may correct the different points according to the statement of HATAKEYAMA.

3. Q. What is your opinion about the statement of IWASHITA, Sadaki?

(Hereupon the examining official read the record of the examination of IWASHITA Sadaki, a witness of the case.)

A. Now I cannot recall to my mind that IWASHITA was reproved by me when he approached to the place where the fourth murder was carried out; but I cannot confidently deny his statement because of my lack of memory. About other parts of his statement I have nothing particular to state my opinion.

4. Q. Give me a detailed explanation on the place of the POW killing.

A. Now I present you the maps showing the spots, which I have prepared. Although I had nothing to do with the first murder, I had a chance to visit there afterwards and so I can indicate the spots without mistake.

(So saying, the accused presented two maps entitled "Map of Sogaseed showing the spot of Murder" and "Map of Tauli showing the Spot of Murder" respectively which are attached herewith.) (See Nos. HIC-12 attached a & b)

5. Q. What are you thinking of the case now?

A. The order to kill the POWs must have been issued out to sheer necessity due to an impending situation. But it seems to me now that some other measures would have been found out then such a drastic one to cope with the situation, because there were, anyway, still interned other POW somewhere else on the same island at the time. For my part, I could not but to execute the superior's orders thinking there would be no other way for me to do then to obey them. Recollecting those days I am sorry from the bottom of my heart for the POW killed by our hands. This idea is haunting me day and night. And I am always praying for their souls with all my heart.

(Hereupon the preliminary examination official explained the defendant the reasons why he was suspected as a criminal and asked if he had any exculpation for it. He answered that he had any exculpation against it.)

6. Q. Have you anything more to explain?

A. No. I have nothing.

When the interrogation was completed, the record made of it was read again: and as NAKAGAWA said that it was without any mistakes, he was caused to affix his signature and seal below.

NAKAGAWA Ken-ichi (signed)

(Signed) Yasuo IBE,
SDO., Rec., TGDC.

(Signed) Shinro MATSUKI,
SDO., Rec., TGDC.

at the Tokyo General Demobilization Court,
on 28th December 1945.